

By: Goolsby

H.B. No. 1891

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of a patient assistance program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Subchapter J, Chapter 531, Government Code, is amended to read as follows:

SUBCHAPTER J. ~~[PROVISION OF INFORMATION ABOUT]~~ PATIENT ASSISTANCE  
PROGRAMS

SECTION 2. Subchapter J, Chapter 531, Government Code, is amended by adding Section 531.354 to read as follows:

Sec. 531.354. ADMINISTRATION OF PROGRAM. The executive commissioner shall, to the extent permitted by federal law, adopt rules requiring a pharmaceutical company that does business in this state and that offers a patient assistance program to:

(1) affix a symbol to each prescription shipment delivered through the program that indicates the shipment is:

(A) not a sample; and

(B) intended for a patient participating in the program;

(2) include the patient's full name in clearly legible type on the invoice and prescription bottle;

(3) log all prescriptions dispensed by the pharmaceutical company and received by a physician through the program;

(4) ship prescriptions directly to the patient when

1 possible; and

2 (5) contact the patient by telephone when the  
3 prescription is shipped.

4 SECTION 3. Not later than January 1, 2008, the executive  
5 commissioner of the Health and Human Services Commission shall  
6 adopt rules as required by Section 531.354, Government Code, as  
7 added by this Act.

8 SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2007.